

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN

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UNITED STATES OF AMERICA,

Plaintiff,

Case No.: 22-CV-01037

v.

LEAF PROPERTY INVESTMENTS, LLC,  
SAM JAMES LEAF, and  
DENNIS PARKER,

Defendants.

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**ANSWER AND AFFIRMATIVE DEFENSES**

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**NOW COME** the Defendants, Leaf Property Investments, LLC, Sam James Leaf, and Dennis Parker (in his capacity as an alleged agent or other capacity for Leaf Property Investments), by and through their attorneys, Ratzel & Associates, LLC, and hereby responds to the Complaint herein as follows:

1. Answering paragraph 1, this paragraph contains a legal conclusion that does not require a response. To any extent that a response to this paragraph is necessary, deny.
2. Answering paragraph 2, this paragraph contains a legal conclusion that does not require a response. To any extent that a response to this paragraph is necessary, deny.
3. Answering paragraph 3, admit.
4. Answering paragraph 4, admit.
5. Answering paragraph 5, admit.
6. Answering paragraph 6, this paragraph contains a legal conclusion that does not require a response. To any extent that a response to this paragraph is necessary, deny.

7. Answering paragraph 7, admit only that Defendant, Sam James Leaf (“Mr. Leaf”), is a resident of Milwaukee, Wisconsin and that he is the registered agent of Leaf Property Investments, LLC (“LPI”) and manager of LPI-owned rental properties, including the 1502-1504 East Royall Place, Milwaukee, Wisconsin 53202 (“Subject Property”) and 1511 East Royall Place. All other allegations contained in this paragraph are denied for lack of knowledge and belief.
8. Answering paragraph 8, admit only that Defendant, Dennis Parker (“Mr. Parker”) is a resident of Milwaukee, Wisconsin. This paragraph contains multiple legal and factual conclusions that are vague. To any extent that a response is required, deny.
9. Answering paragraph 9, admit though Complainant is fictitiously named.
10. Answering paragraph 10, deny for lack of knowledge and belief.
11. Answering paragraph 11, admit the actual physical condition and premises but deny any representation that is not accurate.
12. Answering paragraph 12, this paragraph contains a legal conclusion that does not require a response. To any extent that a response to this paragraph is necessary, deny.
13. Answering paragraph 13, this paragraph contains a legal conclusion that does not require a response. To any extent that a response to this paragraph is necessary, deny.
14. Answering paragraph 14, this paragraph contains multiple allegations. All allegations are denied for lack of knowledge and belief.
15. Answering paragraph 15, deny for lack of knowledge and belief.
16. Answering paragraph 16, deny as Complainant is factitiously identified.
17. Answering paragraph 17, deny for lack of knowledge and belief.
18. Answering paragraph 18, deny.

19. Answering paragraph 19, deny for lack of knowledge and belief.
20. Answering paragraph 20, deny for lack of knowledge and belief.
21. Answering paragraph 21, admit depending on actual identity of “Complainant”.
22. Answering paragraph 22. All allegations are denied for lack of knowledge and belief.
23. Answering paragraph 23, deny for lack of knowledge and belief.
24. Answering paragraph 24, deny for lack of knowledge and belief.
25. Answering paragraph 25, deny for lack of knowledge and belief.
26. Answering paragraph 26, deny for lack of knowledge and belief.
27. Answering paragraph 27, deny for lack of knowledge and belief.
28. Answering paragraph 28, this paragraph contains multiple allegations. All allegations are denied for lack of knowledge and belief.
29. Answering paragraph 29, this paragraph contains multiple allegations. All allegations are denied for lack of knowledge and belief.
30. Answering paragraph 30, this paragraph contains multiple allegations. All allegations are denied for lack of knowledge and belief.
31. Answering paragraph 31, this paragraph contains multiple allegations. All allegations are denied for lack of knowledge and belief.
32. Answering paragraph 32, deny for lack of knowledge or belief.
33. Answering paragraph 33, this paragraph contains multiple allegations. All allegations are denied for lack of knowledge and belief.
34. Answering paragraph 34, this paragraph contains multiple allegations. All allegations are denied for lack of knowledge and belief.
35. Answering paragraph 35, deny for lack of knowledge and belief.

36. Answering paragraph 36, deny for lack of knowledge and belief.
37. Answering paragraph 37, deny for lack of knowledge and belief.
38. Answering paragraph 38, deny for lack of knowledge and belief.
39. Answering paragraph 39, this paragraph contains multiple allegations. All allegations are denied for lack of knowledge and belief.
40. Answering paragraph 40, this paragraph contains multiple allegations. All allegations are denied for lack of knowledge and belief.
41. Answering paragraph 41, deny for lack of knowledge and belief.
42. Answering paragraph 42, deny for lack of knowledge and belief.
43. Answering paragraph 43, deny for lack of knowledge and belief.
44. Answering paragraph 44, deny for lack of knowledge and belief.
45. Answering paragraph 45, deny for lack of knowledge and belief.
46. Answering paragraph 46, deny for lack of knowledge and belief.
47. Answering paragraph 47, this paragraph contains multiple allegations. All allegations are denied for lack of knowledge and belief.
48. Answering paragraph 48, this paragraph contains multiple allegations. All allegations are denied for lack of knowledge and belief.
49. Answering paragraph 49, this paragraph contains multiple allegations. All allegations are denied for lack of knowledge and belief.
50. Answering paragraph 50, admit assuming a certain identity of “Complainant”.
51. Answering paragraph 51, this paragraph contains a legal conclusion to which no response is required. To any extent that a response to this paragraph is necessary, deny for lack of knowledge and belief.

52. Answering paragraph 52, this paragraph contains a legal conclusion to which no response is required. To any extent that a response to this paragraph is necessary, deny for lack of knowledge and belief.
53. Answering paragraph 53, this paragraph contains a legal conclusion to which no response is required. To any extent that a response to this paragraph is necessary, deny for lack of knowledge and belief.
54. Answering paragraph 54, this paragraph contains multiple allegations. All allegations are denied for lack of knowledge and belief.
55. Answering paragraph 55, admit the existence of any filing that occurred.
56. Answering paragraph 56, admit any actual investigations that took place.
57. Answering paragraph 57, this paragraph contains a legal conclusion to which no response is required. To any extent that a response to this paragraph is necessary, deny for lack of knowledge and belief.
58. Answering paragraph 58, this paragraph contains a legal conclusion to which no response is required. To any extent that a response to this paragraph is necessary, deny for lack of knowledge and belief.
59. Answering paragraph 59, deny for lack of knowledge and belief given the fictitious identity of “Complainant”.
60. Answering paragraph 60, admit any legal proceeding and decision or order.
61. Answering paragraph 61, this paragraph contains a legal conclusion to which no response is required. To any extent that a response to this paragraph is necessary, deny for lack of knowledge and belief.
62. Answering paragraph 62, admit.

63. Answering paragraph 63, this paragraph does not require a response. The Defendants reassert and incorporate into this pleading all its previous admissions, denials, and other matters pled.

64. Answering paragraph 64, and its subparagraphs, this paragraph and its subparagraphs contain multiple legal conclusions that do not require responses. To any extent a response is required to this paragraph, deny. To any extent responses to the subparagraphs:

- a. Deny.
- b. Deny.
- c. Deny.
- d. Deny.
- e. Deny.

65. Answering paragraph 65, this paragraph contains a legal conclusion that does not require a response. To any extent that a response to this paragraph is required, deny.

66. Answering paragraph 66, this paragraph contains a legal conclusion that does not require a response. To any extent that a response to this paragraph is required, deny.

67. Answering paragraph 67, deny.

Any allegations of fact not otherwise admitted or denied herein are hereby denied. These Defendants deny that the Plaintiff or any other party is/are entitled to the relief requested or any other relief from these Defendants.

#### **AFFIRMATIVE DEFENSES**

1. The Complainant is not a member of a protected class and was not discriminated against *because* of his membership in a protected class.

2. The Defendants did not treat the Plaintiff differently than it treated other individuals not having a protected characteristic.
3. The Defendants did not subject the Plaintiff to discriminatory treatment.
4. That upon information and belief, the Plaintiff may have failed to mitigate his damages.
5. That all or portions of the claim of the Plaintiff may be barred by the statute of limitations.
6. That the Plaintiff lacks standing to bring the claimed causes of action.
7. That all or parts of the claim fail to state a claim upon which relief can be granted against these answering Defendants.
8. The Plaintiff has failed to join an indispensable party and/or third party.
9. The Plaintiff's claims may be barred by its failure to exhaust administrative remedies prerequisite to filing a civil action.
10. The conduct attributed to the Defendants did not constitute any violation of a cognizable constitutional right or statutory right and this action must be summarily dismissed.
11. That any statements and actions by the defendants were done so as protected constitutional rights, in the exercise of free speech.
12. That the Complainant is not an "aggrieved person" as defined by 42 U.S.C. Section 3602(i) and therefore this action must be dismissed.
13. That the Complainant was not disabled and therefore this action must be dismissed.
14. The Defendants assert that none of them, specifically Defendant Parker, engaged in or contributed to any actions or conduct that creates any liability for any party and

specifically deny any liability to any party for any conduct. Pending the disclosure of more information as to the Complainant the Defendants reserve the right to amend this answer and affirmative defenses should additional information warrant it.

**WHEREFORE**, the answering Defendants, having fully responded to Plaintiff's Complaint herein, respectfully request this Court to dismiss the Plaintiff's Complaint with prejudice and with costs and award the Defendants that other relief which this Court deems just. .

Dated this 3rd day of November, 2022.

RATZEL & ASSOCIATES, LLC  
Attorneys for Defendants, Leaf Property  
Investments, LLC, Sam James Leaf, Dennis  
Parker in any capacity of agency for Leaf  
Property Investments

By: /s/ James C. Ratzel  
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